

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR  
EXTENSION OF TIME FEE)

*Subsection (b) of 35 U.S.C. §132, effective May 29, 2000  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)*

**To: Commissioner for Patents  
Box RCE  
PO Box 1450  
Alexandria, VA 22313-1450**

Attorney Docket No.: 1749.1010

First Named Inventor	Byoung-Woo CHO		
Application No.	10/821,875	Group Art Unit	3765
Filing Date	April 12, 2004	Examiner	Nathan E. Durham
CPA Filing Date		Confirmation No	1817
Title of Invention	ELASTIC HEADWEAR		

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.

**Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)**

- a. ☒ Previously submitted
  - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on January 8, 2010  
(Any unentered amendment(s) referred to above will be entered).
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_
  - iii. ☐ Other
- b. ☐ Enclosed
  - i. ☐ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☐ Other

2.

**Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☐ Other

		BASIC FEE		\$	810.00
Since an Official Action set an <u>original</u> due date of <u>February 9, 2010</u> , no extension fees are due, the USPTO being closed from February 8, 2010 – February 11, 2010.					
Suspension Fee (\$130.00)					
Total of above Calculations =				\$	810.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28).					
TOTAL FEES DUE =				\$	810.00
4. <input type="checkbox"/> Small entity status: a. <input type="checkbox"/> Verified Statement Claiming Small Entity Status. b. <input type="checkbox"/> A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. <input type="checkbox"/> is no longer claimed. 5. <input type="checkbox"/> Other:					
<b>6. METHOD OF PAYMENT</b>					
<input type="checkbox"/> A check in the amount of \$ <u>\$810.00</u> is enclosed. <input checked="" type="checkbox"/> Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.)					
<b>7. GENERAL AUTHORIZATION</b>					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: <b>Deposit Account No. 19-3935.</b>					
<b>8. CORRESPONDENCE ADDRESS</b>					
STAAS & HALSEY LLP *21171* 21171 PATENT TRADEMARK OFFICE					
<b>9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED</b>					
NAME		Gregory W. Harper		REGISTRATION NO.	55,248
SIGNATURE		<i>Gregory W. Harper</i>		DATE	<i>Feb 12, 2010</i>